



SO ORDERED,

Judge Katharine M. Samson
United States Bankruptcy Judge
Date Signed: June 12, 2025

The Order of the Court is set forth below. The docket reflects the date entered.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

IN RE:
BRANDON WAYNE POWELL

CHAPTER 13
CASE NO.: 23-51486-KMS

AGREED ORDER DENYING TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT (DKT. 93)

THIS MATTER came on for consideration of the Trustee's Motion to Dismiss for Non-Payment and the Court being advised that the parties have reached an agreement, orders as follows:

IT IS THEREFORE ORDERED that the Trustee's Motion is denied with the Debtor(s) default being addressed through selection of and compliance with the following option:

☒ Debtor(s) existing default shall be abated, and the Debtor shall resume payments to the Trustee effective with the plan payment due before noon on June 30th, 2025, in the amount of \$3,941.00.

☐ Debtor(s) are granted until _____ to file a Notice and Motion to Modify Plan, together with an Amended Schedule I & J (if necessary) to address their current plan payment default. Should the Debtor(s) fail to file the foregoing modification as required, Debtor(s) case shall be dismissed without further motion, notice or hearing upon the Trustee submitting an Order Dismissing Case to the Court. Debtor(s) shall resume payments in the modified amount before noon on _____,

All options in this Agreed Order require the Debtor to resume the plan payment by a certain date. **Failure to resume by the specified date will result in the case being dismissed without further notice, motion or hearing upon the Trustee submitting an Order Dismissing to the Court.** Should the Debtor resume the initial payment but default in future plan payments, Debtor shall have thirty (30) days from the date of any arising default to cure the default, failing which the case will be dismissed without further notice, motion or hearing upon the Trustee submitting an Order Dismissing to the Court.

##END OF ORDER##

Submitted by:

/s/ Warren A. Cuntz, Jr., Trustee
Warren A. Cuntz, Jr., Trustee
Chapter 13 Trustee
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Approved by:

/s/ Thomas Carl Rollins, Jr., Esq. w/permission
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